GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

P.S. - PR&RD Department - Allegations of irregularities in the execution of six (6) C.C Road works under MGNREGS Programme in Vizianagaram District – Disciplinary proceedings initiated against Sri B.V.V.Satyanarayana Murthy, former Executive Engineer, PRI Division, Parvatipuram (Retd) under Rule 9 of A.P.Revised Pension Rules, 1980 read with Rule 20 of A.P.C.S (CC&A) Rules, 1991 – Charges partially proved in two works in the regular inquiry – Government disagreed with findings of I.A and communicated disagreement factors - Charged Officer expired on 05.09.2020 – Further action abated under Rule 9 (7) of A.P. Revised Pension Rules, 1980 duly recovering an amount of Rs. 1,13,404/- from the terminal benefits - Orders – Issued

---

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.RT.No. 212 **Dated: 15-04-2021**

Read the following:-

1. From the DG, V&E, Vigilance Report No. 12A (C.No. 481/V&E/E2/2014), dt: 30.08.2014.

2.G.O.Ms.No.96, PR&RD (Vig. I) Department, Dt: 05.10.2015

3. G.O.Rt.No.950, PR&RD (Vig.I) Department, Dt.05.10.2015.

4. From ENC, PR, AP, Lr.No.Vig.I(1)/2779/2014, Dt.28.01.2016, 18.05.2016, 20.07.2016 & 31.10.2017.

5. G.O.Rt.No.960, PR&RD (Vig.I) Department, Dt.27.07.2018.

6. From SE, PR(FAC), Vizianagaram, Lr.Rc.No.52/2010/A1, Dt.28.11.2018.

7. Govt. Memo NO. 16076/Vig. I/2014, PR&RD (Vig. I) Department, Dt: 02.06.2020.

8. From the ENC,PR, Letter No. Vig. I(1)/ 2779/2914, dt: 14.10.2020.

-o0o-

ORDER:

Based on the recommendations of the Director General, Vigilance & Enforcement Department made in the reference 1st read above on the allegations of irregularities in the execution of C.C Road works under MGNREGS Programme for the financial year 2012-13 in Vizianagaram District, Government in the reference 2nd read above, have accorded sanction under Rule 9 (2)(b) of A.P. Revised Pension Rules, 1980 to initiate departmental proceedings against Sri B.V.V Satyanarayana Murthy, former Executive Engineer, PRI Division, Parvatipuram, Vizianagaram District (Retd. on 31.01.2014) Simultaneously, in the reference 3rd read above, Government have framed following article of charges against the said individual :

Charge :

That Sri B.V.V.Satyanarayana Murthy, former Executive Engineer, PRI Division Parvathipuram, Vizianagaram District

P.T.O.,

(now retired) has made payment to inferior quality CC road with M30 grade in the following six (6) works under MGNREGS programme for the financial year 2012-2013 in Parvathipuram Division, Vizianagaram district and caused loss to Govt. for an amount of Rs.12,37,980/- :

1. Providing internal roads with CC drains in SC ST colonies 2012-13 in Neelakantapuram(H) of Neelakantapuram (GP) Est.Rs.13.00 lakhs

2. Providing internal roads with CC drains in SC ST colonies 2012-13 in Vikramapuram(H) of Vikramapuram (GP) Est.Rs.10.07 lakhs;

3. Providing internal roads with CC drains in SC ST colonies 2012-13 in Piridi (H) of Piridi (GP) Est.Rs.6.40 lakhs;

4. Providing internal roads with CC drains in SC ST colonies 2012-13 in Kunayavalasa(H) of Kunayavalasa (GP) Est.Rs.8.67 lakhs;

5. Providing internal roads with CC drains in SC ST colonies 2012-13 in Chinaborabanda(H) of Pedaborabanda (GP) Est.Rs.5.00 lakhs;

6. Providing internal roads with CC drains in SC ST colonies 2012-13 in Kasipatnam(H) of Kasipatnam (GP) Est.Rs.5.00 lakhs

2. In the reference 4th read above, the Engineer-in-Chief, PR has submitted the dated acknowledgement of the Charged Officer Sri B.V.V. Satyanarayana Murthy, Executive Engineer (PR) (Retired). After examination, Government have decided to conduct regular inquiry into the charges framed against the charged officer Sri B.V.V. Satyanarayana Murthy, Executive Engineer (PR) (Retired) and also nine (9) other co-charged officer involved in the case. Accordingly, Government in the reference 5th read above, have appointed the Superintending Engineer, Panchayat Raj, Vizianagaram District as Inquiry Officer for conducting inquiry against all the ten (10) charge officers.

3. In the reference 6th read above, the Inquiry Officer has submitted inquiry report, wherein the inquiry officer, among others, has furnished findings against the C.O. Sri B.V.V. Satyanarayana Murthy, former E.E (Retd.). The I.A has held that, for the 1st work viz,. "Providing internal roads with CC drains in SC ST colonies 2012-13 in Neelakantapuram(H) of Neelakantapuram (GP) Est.Rs.13.00 lakhs", the recovery proposed by the V&E is for Rs. 1,85,226/-. But the Executive Engineer, PRI Division, Parvathipuram has not affected the

Contd..P.3.,

recovery so far and hence, the charge framed against the individual is partially proved**.** For the Work No.2 viz,. "providing internal roads with CC drains in SC ST colonies 2012-13 in Vikramapuram(H) of Vikramapuram (GP) Est.Rs.10.07 lakhs", the E.O has mentioned that the Vigilance and Enforcement verified the work and recommended Rs.3,81,795/- recovery towards deficiency in the work. The Executive Engineer, PRI Division, Parvathipuram has not recovered proposed amount so far. Hence, charge framed against the C.O is partially proved. The Inquiry Officer, in respect of remaining four (4) works, mentioned in the charge has held that they are not proved.

4. The Government, have examined the findings of Inquiry Authority and observed that all the six (6) works were executed under the supervision / control of the the Charged Officer Sri B.V.V. Satyanaraana Murthy, Executive Engineer (PR). As a field executing /supervisory officer, he has to supervise and execute the works. But, the V&E noticed the deficiencies in all these works. The fact that the recovery proposed by the V&E itself indicates that irregularities have been committed in the first place and hence, C.O. does not absolve from the irregularities committed. He is supervisory officer, check measured and recommended for payment for inferior quality executed works. In view of the above, the findings of the I.O may not be agreed to and it may be deemed that charges are "proved".

5. Accordingly, in the reference 7th read above, Government have communicated the copy of the inquiry report of the Inquiry Officer dt: 28.11.2018 together with the above disagreement factors to Sri B.V.V.Satyanarayana Murthy, former EE (Retd) under Rule 21 (2) of A.P. Civil Services (Classification, Control & Appeal) Rules, 1991 for submitting his representation, if any on the above disagreement factors for taking further action in the matter.

6. In the reference 8th read above, the Engineer-in-Chief, Panchayat Raj, AP, Vijayawada, among others, has informed that Smt. B. Vijaya Lakshmi submitted a representation dt: 24.09.2020 duly stating that her husband Sri B.V.V. Satyanarayana Murthy, retired Executive Engineer (PR) was expired on 5.9.2020 along with death certificate of her deceased husband and requested to abate further action in the matter.

7. Government have examined the matter and observe that, as per rules in vogue, death abates all further proceedings, however the loss caused if any, has to be recovered from the terminal benefits admissible to the legal heirs as per the Rule 9(7) of A.P. Revised Pension Rules, 1980.

P.T.O.,

8. Government observe that, in the instant case, the charged officer Sri B.V.V. Satyanarayana Murthy, being the Executive Engineer (PR) was responsible for substandard execution of above six (6) works. Out of six (6) works, an amounts of Rs. 1,85,226/- for 1st work and an amount of Rs.3,81,795/- for 2nd work is loss caused in the matter. The 1st work was executed by Sri P. Nageswara Rao, A.E (PR) and Sri K.S. Chalapathi Rao, Dy.EE (PR) and the charged officer viz., Sri B.V.V. Satyanarayana Murthy, E.E (PR) respectively. Similarly, 2nd work was executed by Sri P. Muralidhar, AEE(PR), Sri K.S. Chalapathi Ra, Dy.EE (PR) and the charged officer Sri B.V.V. Satyanarayana Muthy, E.E (PR) respectively. As such, the above loss of Rs.1,88,226/- (1st work) and Rs.3,81,795/- (2nd work) has been apportioned among the above PR Engg. Personnel in the ratio of 5:3:2 (Section Officer (AEE/AE: Dy.EE: EE). The charged officer Sri B.V.V. Satyanarayana Murthy, EE (Retd.& expired) is responsible for Rs.1,13,404/- for above two works.

9. Accordingly, Government after careful examination of the mater, have decided and accordingly, hereby abate further action against Sri B.V.V. Satyanarayana Murthy, Executive Engineer (Retd. & Expired on 05.09.2020) in the matter, duly recovering the above loss of Rs.1,13,404/- (for two works) along with Bank rate + 2% as per Article 200 of A.P. Financial Code, Volume-I, from the terminal benefits of the deceased in accordance with Rule 9 (7) of A.P. Revised Pension Rules, 1980.

10. The Engineer in Chief, Panchayat Raj, Andhra Pradesh, Vijayawada, shall take necessary action and to recover the above amount duly following the procedure prescribed under Rule 9 (7) of the A.P. Revised Pension Rules, 1980

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Engineer in Chief, Panchayat Raj, Andhra Pradesh, Vijayawada.
Smt. B. Vijaya Lakshmi, W/o. Sri B.V.V. Satyanarayana Murthy,
Executive Engineer (PR) (retired & expired)
H.No. 6-2-10, Dusarlapudi Vari Street, Suryaraopeta,
Kakinada Urban, E.G.Dist., Pin: 533001, A.P.
through Engineer in Chief, Panchayat Raj, A.P., Vijayawada.
Copy to:-
The Secretary to Vigilance Commission,
Andhra Pradesh Vigilance Commission, Velagapudi.
SF/SC.

//Forwarded :: By Order //

SECTION OFFICER